

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition)
of West Sacramento Sanitary)
District for Review of Water)
Quality Staff Determination)

Order No. WQG 75-29

BY BOARD MEMBER DODSON:

On February 20, 1975, the West Sacramento Sanitary District (petitioner) petitioned the State Water Resources Control Board (State Board) for review of certain determinations of the Staff of the Division of Water Quality (Staff).

On July 23, 1975, a hearing was held for the purpose of receiving evidence relative to the Staff determination involved. After receipt of substantial evidence, the hearing was continued to October 15, 1975, and additional evidence was received at this time.

I. BACKGROUND

The petitioner operates a wastewater treatment facility located in Yolo County. The original treatment plant was constructed in 1951, with subsequent improvements and expansions in 1964, 1967, and 1971. The plant presently discharges into the Sacramento River at a point opposite Miller Park. Present waste discharge requirements for the petitioner (Order No. 74-566, NPDES Permit No. CA 0079171), in addition to effluent limitations, include a prohibition against discharge of wastewater into the

Sacramento River upstream of the Freeport Bridge after April 1, 1979.

In 1972, the petitioner submitted a project report in connection with a request for approval of further expansion of its facilities. In June of 1973, the petitioner received "conditional approval" of its proposed expansion subject to evaluation of the alternative of upgrading its existing treatment plant as opposed to regionalization of its system with the Sacramento system.

As early as 1972, the feasibility of development of a regional system for wastewater management for the entire Sacramento metropolitan area has been under consideration. We recently considered and concurred in the ultimate determination that facilities in the Sacramento metropolitan area should be regionalized.*

Staff concluded early in 1975 that petitioner's facilities should be encompassed within the Sacramento metropolitan regional system. By letter of February 10, 1975, Staff advised petitioner:

"It has been determined by this office that a project to deliver sewerage from your district to the Sacramento Regional County Sanitation District (SRCS) system for conveyance, treatment and disposal will be eligible for State and Federal construction grants. A project involving separate conveyance, treatment and disposal for your District will not be grant eligible."

II. CONTENTIONS AND FINDINGS

Petitioner contends for a variety of reasons that the Staff determination that petitioner should be included within the Sacramento Regional system is an error in judgment, and that petitioner should be allowed to upgrade its present plant and to

*See Order No. WQ 75-8.

construct the necessary outfall and diffuser to permit discharge to the Sacramento River below the Freeport Bridge near Clarksburg.

The hearing record in this matter is voluminous and complicated. It would serve little purpose to delineate in detail those factors which petitioner relies upon in support of its contention. Generally, the petitioner relies upon comparative cost analysis, implementation capability, environmental effects and considerations, social impacts, flexibility and public acceptability in support of its position. Staff, on the other hand, contends that petitioner should logically be included within the regional system and that the benefits derived from regionalization outweigh those factors relied upon by petitioner.

There is no question that consolidation of treatment works, where appropriate, has been favored by this Board. Our grant regulations specifically provide:

"Consolidation of treatment works shall be required ... in all cases where feasible and desirable to accomplish good water quality management." (Section 2104, Subchapter 7, Chapter 3, Title 23, California Administrative Code.)

Our prior position on consolidation and regionalization reflected by the cited regulation remains the same as does our concurrence in the concept that wastewater treatment facilities for the Sacramento area should be regionalized to the maximum extent feasible and that such regionalization will in the long run best serve protection of water quality in the Sacramento area.

The present controversy really relates not to the general concept that regionalization should be undertaken in the

Sacramento area but rather to the question of the extent of regionalization and consolidation which should be required. Whether a particular area or particular facility should be required to consolidate as a condition to grant eligibility, i.e., whether consolidation of such an area or specific facilities is "desirable", involves a multitude of considerations and, in the final analysis, a judgmental determination.

We have very carefully reviewed all of the evidence presented in this matter. Substantial evidence on both sides of the issue involved was presented, and the determination which should be made is very evenly balanced. We find, however, that social, political and environmental factors do not justify a mandate to petitioner that it be required to participate in the Sacramento Regional County Sanitation District project. This finding as regards environmental factors is predicated in part on the representation made by petitioner during the October 15, 1975, hearing and in the letter of October 6, 1975, from Randolph H. Dewant Consulting Engineer for the petitioner, that "fail-safe" systems have been or will be incorporated in the West Sacramento plant which will provide operational reliability comparable to that being designed into the Sacramento Regional District's facilities, recognizing the restrictions with regard to duplication of major treatment units in smaller treatment plants. It is also predicated upon the commitment and responsibilities of the petitioner to work with and cooperate with Sacramento Regional County Sanitation District and the State Board to promote and complete the optimum wastewater treatment system for the Sacramento area.

III. CONCLUSIONS

After review of the entire record, we conclude that a separate project for petitioner for treatment, conveyance and disposal of waste shall be grant eligible, provided that the project proposed otherwise conforms with all applicable state and federal laws, rules, regulations, guidelines, policies and plans.

IT IS HEREBY ORDERED that this matter is remanded to the Division of Water Quality for reconsideration of a separate project for the West Sacramento Sanitary District in accordance with this order.

Dated: November 20, 1975

WE CONCUR:

/s/ Roy E. Dodson
Roy E. Dodson, Member

/s/ W. W. Adams
W. W. Adams, Chairman

/s/ W. Don Maughan
W. Don Maughan, Vice Chairman

/s/ Jean Auer
Jean Auer, Member

